

Minutes of the Land Use, Parks and Environment Committee - June 3, 2003

The meeting was called to order at 8:55 a.m. by Chair Kolb.

Present: Chair Walter Kolb, County Board Supervisors Pauline Jaske, James Jeskewitz, Scott Klein, Daniel Pavelko, Vera Stroud; **Absent:** Matt Thomas

Staff Present: Legislative Policy Advisor Mark Mader, Legis.Associate Sandra Meisenheimer, Chief of Staff Lee Esler

Also Present: Parks and Land Use Director Dale Shaver, Planning and Zoning Mgr. Dick Mace, Public Works Engineering Services Mgr. Gary Evans, County Board (CB) Supervisors Carl Seitz, Pat Haukohl and Rodell Singert, CB Supervisor Candidate Bill Mitchell, Chairman Jim Dwyer, Karen McNelly (former CB Supervisor)

Public Present: Barry Bielawski of Oconomowoc, Bob Lorier of Oconomowoc

Public Comment

Barry Bielawski of Oconomowoc stated that he was here on Section 3.10. He is a landowner of two properties on Okauchee Lake and Section 3.10 (2)(E) is proposing to change the description of lots from non-conforming to conforming square footage, lot size, and setback. There are a lot of different things involved in it. The biggest issue for him is owning an adjacent property. If this ordinance passes, his two properties will be merged because one lot is non-conforming. Then he will not be able to sell one without the other. Both of his lots are located in the Maplewood subdivision that is legally platted. He went on to explain the taxes he pays on both properties. He also has paid for two sewer hook-ups, town maintenance fees on a quarterly basis, and costs to install the sewer. He explained the financial situation of his two properties. He doesn't understand how you can change the ordinance to make him merge the properties and inhibit his ability to sell his properties separately. He stated this ordinance just is not right.

Report on Wisconsin Association of Lakes Conference, Three Lake Management Districts and Groundwater Law Class

McNelly said she attends approximately five lake management district meetings, which amounts to about 48-52 hours per month. This keeps her quite busy. She also has been attending some really wonderful classes that she appreciates. She gave an update on the three-day Lakes Conference she attended – “Where the Waters Meet” which was held in Green Bay, Wisconsin. There were approximately 150 speakers and workshops from 8:00 a.m. until 9:30 p.m. every day. She passed around a packet of information from the conference for the committee's review. McNelly also reported on the groundwater law class she attended in Madison that is offered once a year. The class was very fascinating, and the instructors were very good. She stated that there is a lot of technical information that she obtained from all of the classes, and she would be happy to share this information with anyone who is interested. She said the value of what the volunteers are doing on the lakes in different parts of the State is immeasurable.

Consider Proposed Ordinance: 158-O-014 Amend Provisions of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance

Shaver and Mace were present to explain the provisions of the ordinance which would amend Section 2.4 (B), (C) and (F) from three (3) years to eighteen (18) months. Mace stated the only thing he can add is something that came up at the hearing. Someone said this ordinance would not have an impact on overriding local ordinances. Mace said this only affects the municipality that does not have an ordinance. Any town ordinance would prevail, such as Mukwonago wishing to stay with three years.

A long discussion by committee continued. Jaske said she is concerned with the 18 months because theoretically there would only be one budget cycle. Klein said if there were a willing buyer and a willing seller, the time period wouldn't matter. However, if there is an unwilling seller that is where the issue is. Kolb said 18 months is a good compromise and he will support it.

Motion: Stroud moved, second by Jaske, to amend to two (2) years.

Stroud said she is making the motion because it might get held up in the Finance Committee and also the stewardship funds are no longer a given which could have a great affect. Stroud withdrew her motion; the second agreed.

Motion: Jaske moved, second by Stroud, to amend the wording of "acquire" to "offer to purchase" or whatever is appropriate. Mace suggested conferring with Corporation Counsel. The committee agreed. Jaske withdrew her motion; the second agreed.

Motion: Jaske moved, second by Jeskewitz, to table Proposed Ordinance 158-O-014 for legal clarification. **Motion carried 6 – 0.**

Consider Proposed Ordinance: 158-O-001 Amendment to Waukesha County Street and Highway Width Map

Mace and Evans were present to discuss the ordinance with the committee. Chair Kolb allowed Supervisor Haukohl to speak. She stated she would be bringing forth an amendment to this particular map to remove the extensions to Barker Road to the north of Capital Drive and two to the south. Several years ago the County Board voted to remove those extensions from the SEWRPC Highway Jurisdictional Map. She was told that SEWRPC doesn't have to listen to what is requested and can do whatever they want. She believes that this road should never go through as far as a north/south route in the county. It follows the Fox River corridor and would go through major wetlands that would be changed forever. SEWRPC was given the job of coming up with a study of this corridor and to see if there were other recommended routes, but here it is back again. For many reasons, she is opposed to these extensions being on this map once again. So far, her amendment is also being sponsored by Supervisors Harenda, Nilson, Carlson, and Jaske. Hopefully, there will be more who will support her amendment at the County Board meeting.

Kolb said to Haukohl that the environment is important but in this case transportation totally outweighs the environmental issue that you're bringing forward at this time.

Stroud said she would be making an amendment to take Johnson Road off the map. Klein said at one time Springdale Road was to be extended past Capital Drive to the north, and it has been taken off the map probably because of the wetlands. While he is not necessarily in favor of taking Highway Y or Barker Road north off, Springdale Road might be an alternative to relieve some of the pressure from the northeast corner of the City of Pewaukee, Town of Lisbon, and Village of Sussex, etc. Klein asked what would be a plan to relieve that area? Evans said there is nothing in the long-term jurisdictional plan.

Kolb said he would like to hear a positive note from the environmentalists when they disagree with this to give another practical way of resolving the traffic problem. Klein said that was what he was trying to do. Evans said one of the reasons Barker Road is so attractive is because it goes from the south county line to Highway 41. It is a pure north/south route. Also, Springdale Road is still truncated.

Klein said his point is how many people are actually traveling from one end of the county to the other that really need these long thorough ways on a daily basis? This is the sort of study that we need -- what are the traffic patterns?

Mace referred to his memo of May 1, 2003 regarding the ordinance. He stated his memo helps explain what this ordinance is and how it is going to work. What you will be adopting is this map, which everyone has a small version of, and a set of the detailed maps for each of the townships.

Chair Kolb allowed Supervisor Singert to speak who commented on the Barker Road /Johnson Road extensions. He stated that the third extension is an absolute necessity to correct. This is the connection of Johnson Road to Highway Y. There is a dedication of land there that will provide a 90-degree intersection with Highway Y from Johnson Road south of Coffee Road. That intersection should be built. A long discussion on Johnson and Barker Roads continued.

Esler stated that when SEWRPC gives the next iteration of the plan, they may or may not have followed the County Board's directive. Esler also explained the hierarchy of the planning process from the most specific to the most general. The steps are the current budget, next year's budget, Five Year Capital Plan, Street and Highway Width Map, Waukesha County Jurisdictional Highway Plan, Regional Southeast Wisconsin Transportation Plan, and the Land Development Plan. He stated one thing he said to the Public Works Committee is to take this activity seriously. It is not an exercise in philosophy but in dollars and planning. It is very serious.

Motion: Jeskewitz moved, second by Klein, to approve Proposed Ordinance 158-O-001. Mace said this document does more than just establish width for future construction. It is used daily by his department, the cities and the towns for reviewing plats, for certified survey maps, approving new houses and other structures, etc. Esler summarized the five changes made by the Public Works Committee to the proposed amendments. Mace read his memo of May 1, 2003.

Motion: Jaske moved, second by Jeskewitz, to call for the question. **Motion carried 6 – 0.**
On the original motion carried 4 – 2; Pavelko and Stroud voting no.

Read Correspondence

Kolb apprised the committee of information on the Spring Brook Watershed Lake Mgt. District Annual Meeting on June 7 in Mukwonago.

Approve Minutes of May 20, 2003

Motion: Jaske moved, second by Jeskewitz, to approve the minutes of 5/20/03. **Motion carried 6 – 0.**

Motion to adjourn: Pavelko moved, second by Jeskewitz, to adjourn the meeting at 12:15 p.m. Motion carried 6 – 0.

Respectfully submitted,

Pauline T. Jaske
Secretary

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